



Request for City Council Committee Action From the Department of Public Works

Date: November 14, 2002

To: Transportation and Public Works Committee

Referral to: Also at Community Development (November 14th Meeting)

Subject: Encroachment Permit application from "Roamn for Snowmn"

Recommendation: Adoption of one of the alternatives presented in the staff report.

Previous Directives: None

Prepared or Submitted by: Dennis Morris, Right of Way Supervisor.

Approved: Brian Lokkesmoe, Interim Director of Public Works

By: Paul W. Ogren _____

Presenters in Committee: Dennis Morris, Right of Way Supervisor
Mary Altman, Public Art Administrator.

Financial Impact (Check those that apply)

☒ No financial impact - or - Action is within current department budget.
(If checked, go directly to Background/Supporting Information)

☐ Action requires an appropriation increase to the Capital Budget

☐ Action requires an appropriation increase to the Operating Budget

☐ Action provides increased revenue for appropriation increase

☐ Action requires use of contingency or reserves

☐ Other financial impact (Explain):

☐ Request provided to the Budget Office when provided to the Committee Coordinator

Background/Supporting Information Attached

Public Works staff has received an application for an encroachment permit to place 6-foot high synthetic snowman shaped statues on public right of way. The "Snowmn" are the visible symbol for a charitable campaign program that is being promoted Statewide.

The blank statuary will be decorated by the sponsoring organization and it is anticipated that it will be placed abutting the sponsor's property. (Samples attached)

In accordance with newly adopted City policy and procedures regarding art in public places Public Works staff referred this matter to the Minneapolis Arts Commission which in turn reports its findings to the Community Development Committee. Those meetings have not occurred at the time that this letter is being prepared. The Arts Commission will meet on November 6th and the Community Development Committee will meet at 3 P.M. on Thursday, November 14th.

Additionally, Public Works staff reviewed the proposed snowman statuary with the Zoning Department. At issue was whether certain design features selected by sponsors might transcend the boundary between art and advertisement. The Zoning Department was greatly concerned about the potential for product or corporate identity that could be created.

Under normal procedures staff would review the individual encroachment object, also its proposed location. Staff would then make a recommendation to the Ward Council Member. However, due to the nature of the applicants charitable program, staff is unable to determine in advance where the statuary will be located, what they will look like or which ward they will be within. In essence, the applicant is requesting a blanket permit based on a pre-approved set of criteria.

Without information on the results of the other meetings and due to the lack of details in the applicants permit application, staff can only offer the Committee some alternatives from which to choose.

A). Deny the application for encroachment permit.

B). Forward to the Council without recommendation.

C). Direct Public Works staff to issue encroachment permits for each Snowmn statue, subject to the following standard:

1. The Public Works Department must approve the location on the public right of way.
2. The statue cannot be designed to appear as an advertisement, as determined by the Zoning Department.
3. All permits are issued in accordance with the encroachment ordinance (Chapter 95), except that the approval of the individual Council Ward Member is not required.

T&PW - Your Committee recommends passage of the accompanying report authorizing the adoption of alternative (A) (B) (C).